

## House Resolution 229

By: Representatives Geisinger of the 48<sup>th</sup>, Willard of the 49<sup>th</sup>, Benfield of the 85<sup>th</sup>, Oliver of the 83<sup>rd</sup>, Day of the 163<sup>rd</sup>, and others

## A RESOLUTION

Proposing an amendment to the Constitution so as to provide for the creation of the Citizens' Redistricting Commission; to provide for its membership, duties, and procedures; to provide for the submission of a redistricting plan for approval by the General Assembly; to provide for procedures for the consideration of such plan; to provide for related matters; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

## SECTION 1.

Article III, Section II of the Constitution is amended by revising Paragraph II as follows:

"Paragraph II. ***Apportionment of General Assembly.*** (a) The General Assembly shall apportion the Senate and House districts. Such districts shall be composed of contiguous territory. The apportionment of the Senate and of the House of Representatives shall be changed by the General Assembly as necessary after each United States decennial census.

(b) No later than January 31 of the year following the year in which a United States decennial census is conducted, there shall be constituted the Citizens' Redistricting Commission. The commission shall be composed of seven members appointed as follows:

(1) One member appointed by the Lieutenant Governor;

(2) One member appointed by the minority leader of the Senate;

(3) One member appointed by the Speaker of the House of Representatives;

(4) One member appointed by the minority leader of the House of Representatives;

(5) Two members appointed by the Governor, only one of whom shall be a member of the same political party as the Governor; and

(6) One member who shall be selected and appointed by the other six members of the commission not later than March 1 of the year following the year in which a United States decennial census is conducted.

The failure by the six members of the commission to agree upon a seventh member by March 1 of the year following the year in which a United States decennial census is conducted shall result in the dissolution of the commission and the redistricting of

congressional and legislative districts by the General Assembly without assistance from the commission.

(c) A person shall be eligible for appointment to serve on the commission if such person:

(1) As of the date of his or her appointment, is registered to vote for federal and state offices in Georgia and was registered to vote in the two most recent general elections held in Georgia;

(2) Is not a current member of the General Assembly and does not hold any federal or state elective office while serving on the commission; and

(3) Certifies and agrees at the time of such person's appointment that such person will not run as a candidate for any federal or state elective office while serving on the commission and for a period of two years thereafter.

(d) Vacancies on the commission shall be filled in the same manner in which the original appointment was made.

(e) Members of the commission shall be reimbursed for actual and reasonable expenses incurred in the performance of their duties on the commission. The General Assembly is authorized to provide for the payment of reasonable compensation to the members of the commission. The General Assembly shall provide adequate funding to the commission, including the employment of a competent staff, in order for the commission to carry out its duties. The General Assembly shall provide adequate funding for the representation of the commission in any litigation, and the Department of Law shall have the responsibility for such representation.

(f) The commission shall have the following duties:

(1) To create proposed congressional and House of Representatives and Senate legislative districts for submission to the General Assembly for approval or rejection;

(2) Prior to developing a proposed plan or making any recommendations, to conduct public hearings throughout all areas of this state, including at least one hearing in each congressional district in this state, after adequate advance notice to the public so that all interested citizens will have a reasonable opportunity to express their views with regard to redistricting plans; and

(3) To inform and encourage the attendance of the media at all public hearings and meetings of the commission.

(g) In developing proposed redistricting plans for submission to the General Assembly for approval or rejection, the commission shall adhere to the following criteria:

(1) The plan shall be in compliance with the Constitutions of this state and the United States;

(2) The plan shall be in compliance with the federal Voting Rights Act of 1965, as amended;

- 65 (3) The plan shall contain only contiguous districts;
- 66 (4) The plan shall contain districts that are as compact as possible or practicable;
- 67 (5) The plan shall maintain communities of interest, as determined by the commission  
 68 from time to time to the extent that it is reasonably possible to do so; and
- 69 (6) The plan, if for congressional redistricting, shall provide for zero deviation among  
 70 the districts and, if for legislative redistricting, shall provide for as close as practicable  
 71 to zero deviation among the districts.
- 72 (h) The commission shall, no later than July 1 of the year following the year in which a  
 73 United States decennial census is conducted, submit its report with a proposed  
 74 congressional redistricting plan, a proposed redistricting plan for the House of  
 75 Representatives, and a proposed redistricting plan for the Senate to the General Assembly  
 76 for approval. Such plans shall be voted upon by the General Assembly without  
 77 amendment. If either house of the General Assembly declines to approve a plan, the plan  
 78 and the report shall be returned to the commission with such specific suggestions as the  
 79 Senate or the House of Representatives, as applicable, believes would eliminate the basis  
 80 for disapproval of the plan. The commission shall then meet and revise the plan and submit  
 81 a new report and proposed plan to the General Assembly within 15 days following the  
 82 disapproval of the plan. Such revised plan shall be voted upon by the General Assembly  
 83 without amendment. If either house of the General Assembly declines to approve the  
 84 revised plan, the General Assembly shall proceed to formulate and enact a redistricting  
 85 plan on its own.
- 86 (i) Upon the approval or final rejection of each of the proposed plans by the General  
 87 Assembly, the commission shall be dissolved."

## 88 **SECTION 2.**

89 The above proposed amendment to the Constitution shall be published and submitted as  
 90 provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the  
 91 above proposed amendment shall have written or printed thereon the following:

92 "( ) YES Shall the Constitution of Georgia be amended so as to provide for the  
 93 ( ) NO creation of the Citizens' Redistricting Commission for the purpose of  
 94 assisting the General Assembly in congressional and legislative redistricting  
 95 following each United States decennial census?"

96 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."  
 97 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If  
 98 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall  
 99 become a part of the Constitution of this state.